

petition mentioned in the succeeding section is filed within sixty days after the act of insolvency is committed.

SEC. 24. A petition may be filed in any of said courts having the right to take jurisdiction of the debtor so committing any act of insolvency in the preceding section mentioned, by any one or more creditors, the aggregate of whose debts against the insolvent amount to at least the sum of two hundred and fifty dollars, at any time within sixty days after the recording of any of the conveyances, creation of liens, or committing of any of the acts of insolvency in this act specified. The said petition shall allege the facts upon which the application is grounded, and pray for process against the debtor, and an adjudication of insolvency, and shall be verified by the affidavit of the petitioner; the court shall thereupon issue summons for the debtor, and require him to show cause within not less than five nor more than ten days, why such adjudication shall not be made. Upon any issue of fact which may arise, either party shall be entitled to a trial by jury, but the parties to said cause may waive the said jury trial, and be heard by the court on the issue of fact; and the trial shall take place at the term during which the petition was filed, and as speedily as may be; and pending the determination of the application for such adjudication, the court may, in its discretion, issue an order in the nature of an injunction, to restrain the debtor from disposing of his property, or such other orders, and upon such terms and conditions as the court may deem necessary; and the court shall possess power to allow any amendments necessary to present the rights of the matter. If the allegations of the petition shall not be sustained, the respondent shall recover a judgment for costs against the petitioner; and if the allegations be sustained and are sufficient to warrant the same, an adjudication shall be made by the court, that the debtor is insolvent; and thereupon, and by virtue of the adjudication, his right and power to dispose of any part of his estate and property shall cease, and when the court shall have appointed a preliminary trustee, all such estate and property shall, as soon as the bond of such trustee shall have been approved, be divested out of

Petition to
allege facts

May issue in-
junction